UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/162
27 February 1995
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 27 FEBRUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNTIED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the statement made by the President of the Azerbaijani Republic Mr. H. A. Aliyev on 24 February 1995 in connection with the third anniversary of the genocide perpetrated by the Armenian aggressors in the town of Khojaly (see annex I), and also a statement issued by the Azerbaijani Ministry of Foreign Affairs which I have received by facsimile (see annex II).

I should be grateful if you would have these statements circulated as a Security Council document.

(Signed) E. KOULIYEV
Permanent Representative

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Annex I

Statement made on 24 February 1995 by the President of Azerbaijan

Three years have elapsed since the Khojaly tragedy, one of the bloodiest episodes in the history of our people's struggle for national independence. This genocide, which was perpetrated with the support of foreign pro-imperialist forces, was an exceptionally brutal part of a deliberate plan of aggression pursued by the Armenian aggressors against the independent Azerbaijani State; it was an unprecedented act of vandalism and has been recorded in the history of the twentieth century as a crime against all humanity. The ruthless act of vengeance against the civilian population and the incomprehensible cruelty that occurred unmasked and exposed to the international community the true face of the Armenian reactionaries and their foreign protectors.

The power struggle that was going on in the Republic at that time also provided fertile ground for this terrible tragedy. The political bankruptcy of the then-leaders of our country and the stance they adopted at variance with our nationwide interests was a major contributing factor in the Khojaly tragedy.

Despite the cruel nature of these crimes, which were intended to sabotage our untiring struggle for national rebirth and independence, they were unable to undermine our people's fighting spirit or break its resolute will.

On this day of national sorrow I urge the Azerbaijani people to remain steadfast in its will and determination to be prepared for coming battles to defend our national statehood and sovereignty. The sacred memory of our martyrs requires this of us.

Once again I salute the sacred memory of the innocent victims of the Khojaly tragedy. I offer my condolences to our people.

Heydar Aliyev
President of the
Azerbaijani Republic

Annex II

Statement issued on 24 February 1995 by the Ministry of Foreign Affairs of Azerbaijan

We shall soon mark the tragic date of the seventh anniversary of the start of the undeclared war that is being waged by the Republic of Armenia against the Azerbaijani Republic.

This war, which was foisted on Azerbaijan while it was acceding to independence, has been a harsh ordeal for the Azerbaijani people and has imposed a heavy burden on the young State's economy. The aggression by the Republic of Armenia has resulted in the occupation of 20 per cent of Azerbaijan's territory; over 1 million people have been forced to flee their place of permanent residence and have become displaced persons and refugees in their own land. The war has destroyed the integrated economic order of the Azerbaijani State and the structures of its national economy.

The main cause of this war which has been foisted on Azerbaijan is the territorial claim of the Republic of Armenia to the Nagorny Karabakh region of the Azerbaijani Republic. Armenia has made no attempt to conceal the fact that its principal objective has been to seize the Nagorny Karabakh region of Azerbaijan and incorporate it into the Republic of Armenia. The achievement of these objectives has progressed in the following manner: An unlawful decision was taken by the executive committee of the former Nagorno-Karabakh Autonomous Region of Azerbaijan in February 1988 concerning the withdrawal of the region from Azerbaijan and its incorporation into Armenia; a decision by the parliament of the Republic of Armenia in December 1989 incorporated the Nagorno-Karabakh Autonomous Region of Azerbaijan into the Republic of Armenia; a decision by the Armenian parliament in July 1992 stated that any international or internal state documents suggesting that Nagorny Karabakh was a part of Azerbaijan were unacceptable to the Republic of Armenia. These unconstitutional and illegal acts, which in essence, constituted political and legal aggression against a sovereign State, namely the Azerbaijani Republic, have never been repudiated by the Republic of Armenia, thus proving that Armenia should bear sole responsibility as the organizer and principal agent of the aggression against Azerbaijan.

During this seven-year war, the armed forces of the Republic of Armenia have committed thousands of crimes in Azerbaijani territory. Tens of thousands of people have been killed, wounded and maimed as a result of these crimes.

Hundreds of settlements have been set on fire and destroyed; government, institutions, agricultural facilities and industrial enterprises, medical and consumer services, educational establishments, transport, power and water supply infrastructure and other important amenities have been plundered; and the communications of the Azerbaijani State have been disrupted. Architectural, cultural and historical monuments and mosques and religious buildings have been destroyed.

Irreparable ecological damage has been caused in the region. As a result of the aggression by the Republic of Armenia, the natural environment of the occupied Azerbaijani districts has sustained damage to the tune of $1 billion; 15 per cent of Azerbaijan's water reserves has been seized by the aggressors, and 260,000 hectares of forest, 1,000 hectares of arable land are situated in the occupied territories. Overall losses to the economy of Azerbaijan total several billion dollars.

Among the crimes committed by the Armenian armed forces in Azerbaijani territory, the destruction of the Azerbaijani town of Khojaly in February 1992 stands out for its villainy, brutality and cynicism. In a single night some 800 civilians were killed. Having lost all humanity, the Armenian gangsters did not spare women, children or old men, and pursued those escaping from encirclement and finished off the wounded, as evidenced by the large number of corpses of Khojaly residents that were found in the surrounding woods. The tragic toll of the Khojaly massacre included hundreds of dead, thousands of wounded and thousands captured. The barbaric crime of the Armenian terrorists at Khojaly can rightly be called a genocide of the Azerbaijani people and one of the cruellest mass crimes of the twentieth century, which has, essentially, gone unpunished.

In violation of all norms of international humanitarian law, the Republic of Armenia has to this day kept in captivity more than 4,000 Azerbaijanis, for the most part women, old men and children, the civilian inhabitants of the occupied districts of Azerbaijan who have been taken hostage. At the present time 62 Azerbaijani children are being forcibly held in Armenian captivity in spite of the efforts of the International Committee of the Red Cross to secure their release.

The situation in Azerbaijan today as a result of the undeclared war and Azerbaijan's position with regard to the settlement of the Armenian-Azerbaijani conflict are receiving understanding from the major States in the world, the most prestigious international organizations and world public opinion. Evidence of this can also be seen in the decision adopted at the summit meeting of the Organization for Security and Cooperation in Europe (OSCE) held at Budapest in December 1994, concerning the formation of OSCE peace-keeping forces and the deployment of such a force in the area of the conflict, and the resolution adopted at the summit meeting of the Organization of the Islamic Conference (OIC) in December 1994, which directly identified Armenia as the aggressor and demanded the immediate and unconditional withdrawal of its occupying forces from all the Azerbaijani territory it had seized.

Seven years of war have shown that nothing can undermine the determination of the Azerbaijani people to liberate the occupied lands and their will to defend the independence, sovereignty and territorial integrity of their State.

Azerbaijan has repeatedly given tangible proof of its commitment to the principle of the peaceful settlement of disputes and has based its approach to the solution of the Armenian-Azerbaijani conflict on the generally accepted international norms of respect for the sovereignty and territorial integrity of States and respect for human rights. However, all Azerbaijan's efforts to find a way out of the impasse in the conflict meet with the formidable obstacle of

the Republic of Armenia, which is seeking to consolidate the gains achieved as a result of its aggression against Azerbaijan.

The unconstructive position of the Republic of Armenia with regard to the conclusion of a peace agreement is the reason why there has been no progress so far in the negotiations. The Armenian side has still not shown any willingness to take a realistic approach to the solution of the problem of a settlement of the conflict. All the effort and actions of the Republic of Armenia are aimed at maintaining its occupation of Azerbaijani territories and, in violation of international standards and the decisions of OSCE, at enhancing the status of the representatives of the Armenian community of Nagorny Karabakh in the negotiations, while completely disregarding the rights of the Azerbaijani community of Nagorny Karabakh.

While declaring its commitment to the principles of the Charter of the United Nations and other basic international standards, the Republic of Armenia refuses to heed in practice the demands contained in the well-known resolutions of the Security Council on the immediate, unconditional and complete withdrawal of Armenian armed units from all occupied Azerbaijani territory and the return of refugees and displaced persons to their homes. The Republic of Armenia is using the negotiation process to gain time with a view to increasing its military presence and expanding deep into Azerbaijan. Disregarding the norms of international law, the Republic of Armenia is pursuing a policy of the fait accompli with respect to the occupied Azerbaijani territories.

The Republic of Armenia is continuing to pursue its annexationist plans, and to implement at the State level its deliberate programme to settle its citizens in the occupied territories of the Azerbaijani Republic, having first completed a massive cleansing of the area to rid it of its Azerbaijani population. In order to finance its campaign to build Armenian settlements in the occupied lands of Azerbaijan, the Republic of Armenia has organized fund-raising activities in Armenia and among the Armenian diaspora in various countries.

Similar provocative acts by the Republic of Armenia represent the continuation of its gross violation of the sovereignty and territorial integrity of the Azerbaijani Republic and testify to the complete disregard of the Republic of Armenia for the norms of international law and the Charter of the United Nations, as well as of OSCE principles. They undermine the process aimed at a peaceful political settlement of the Armenian-Azerbaijani conflict within the framework of OSCE.

It is a cause of particular concern that these actions should occur at the very time when OSCE, in pursuance of the decisions of the Budapest summit meeting, is actively engaged in practical efforts to establish the conditions for the speedy achievement of a political agreement between the parties to the conflict. All these artificially created obstacles are postponing and hampering the deployment of OSCE peace-keeping forces in the region with whose assistance the process of repairing the damage caused by Armenia's military aggression against Azerbaijan must begin.

The Azerbaijani Republic once again reaffirms its commitment to the maintenance of the cease-fire regime, which creates the conditions for the speedy conclusion of the negotiations and the start of a peace process which must lead to the complete liberation of all the occupied Azerbaijani territories and the return of the refugees to their homes.

Today, Azerbaijan appeals once again to all States in the world, to international organizations and to world public opinion, to take the necessary steps so that the Republic of Armenia will end its aggression against the Azerbaijani Republic, abandon its delaying tactics in the peace negotiations and its efforts to perpetuate the conflict, and withdraw its armed forces from all the occupied Azerbaijani territories.